AO 133 (Rev. 9/89) Bill of Costs

United States Dis Middle DISTRICT OF		
William Clark, Plaintiff	BILL OF CO	OSTS
v. Trainerr		1:CV-01-0764
Martin Horn, et al., Defendants		
Judgment having been entered in the above entitled action on Sept		against Plaintiff,
The Clerk is requested to tax the following as costs:	3	
Fees of the Clerk		\$
Fees for service of summons and subpoena		\$
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case		\$303.61
Fees and disbursements for printing		\$
Fess for witnesses (itemize on reverse side)		\$
Fees for exemplification and copies of papers necessarily obtained for use	in the case	\$
Docket Fees under 28 U.S.C. 1923		\$
Costs as shown on Mandate of Court of Appeals		\$
Compensation of court-appointed experts		\$
Other Costs (Please Itemize)		\$
	TOTAL	\$303.61
SPECIAL NOTE: Attach to your bill an itemization and document		osts in all categories.
I declare under penalty of perjury that the foregoing costs action and that the services for which fees have been charged were this bill was mailed today with postage prepaid to: Mr, William Clark, 1221 Bainbridge Street, Philadelphia, PA 1914	are correct and were a actually and necessare. 17	rily performed. A copy of
Bv:		

Clerk of Court	Deputy Clerk			Date					
WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)									
NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost		
	Days	Total	Days	Total	Days	Total	Each Witness		
		Cost		Cost		Cost			
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		,							
					TOTAL				
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NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1923. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in this case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except where express provision therefore is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6 (e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CLARK,

Plaintiff, : Civil Action No. 1:CV-01-0764

v. : (Judge William W. Caldwell)

MARTIN HORN, et. al.,

Defendants. :

ATTORNEY'S VERIFICATION

I, John J. Talaber, Assistant Counsel, Pennsylvania Department of Corrections, Office of Chief Counsel, being duly authorized according to law, do hereby verify that Defendants Martin Horn, Robert W. Meyers, and Larry Lidgett, who the undersigned attorney represented in this litigation, received summary judgment in the above-captioned action on September 29, 2003 (Exhibit A). Further, the undersigned hereby verifies that the Commonwealth of Pennsylvania, Department of Corrections indemnified the above-named Defendants in this civil rights action, and in their defense, paid *Geiger & Loria Reporting Services* three hundred and three dollars and sixty-one cents (\$303.61) for the costs of the deposition transcript of Plaintiff William Clark that was used to support the Defendants' motion for summary judgment (Exhibit B). I further verify that the attached copies supporting this *Bill of Costs* are true and correct to the best of my knowledge, information and belief.

I give this verification subject to the penalty for perjury set forth at 18

U.S.C. §1621.

John J. Talaber Assistant Counsel

Date: October 27, 2003

AO 450 (Rev. 5/85) Judgment in a Civil Case

United States District Court

- MIDDLE DISTRICT OF PENNSYLVANIA

JUDGMENT IN A CIVIL CASE

William Clark, Plaintiff SEP 2 9 2003

IARY E. D'ANDREA, CLERK

HBG, PA DEPUTY CLERK

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CASE NUMBER: 1:CV-01-0764

Martin Horn, of the Pennsylvania Department of Corrections; Robert W. Meyers, SCI-Rockview; Wexford Health Sources, Health Care Provider at SCI-Rockview; John Symons, Medical Director SCI-Rockview; and Larry Lidgett, SCI-Rockview, Defendants

- Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- X Decision by Court. This action came to trial or hearing before the court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED AND ADJUDGED THAT SUMMARY JUDGMENT be and is hereby entered in favor of defendants, Martin Horn, of the Pennsylvania Department of Corrections, Robert W. Meyers, SCI-Rockview, Wexford Health Sources, Health Care Provider at SCI-Rockview, John Symons, Medical Director SCI-Rockview and Larry Lidgett, SCI-Rockview and against the plaintiff, William Clark.

Date: September 29, 2003

Mary E. D'Andrea, Clerk of Court

(By) Ann Severino-Michael, Deputy Clerk

age 6**ЕХНІВІТ** Document 130 Case 1:01-cv-00764-WWC-PT Filed 10/27/2003 12/18/02 13:12 FAX 7310482 CHIEF COUTERS : 12/12/02 02:44pm 7175411608 GEIGER & LORIA PAY THIS STATEMENT BY 12/31/02 AND DEDUCT 5% Geiger & Loria Reporting Service PROM BALANCE DUE 2408 Park Drive, Suite B Harrisburg, PA 17110 Phone #: (717)541-1508 Fax #: 717-541-1509 STATEMENT OF PROFESSIONAL SERVICES As Of: December 9, 2002 DOC# 45000 Vendor 153599 Fax No.: (000)000-0000 2,393 Account No.: 975,221 Past due involent subject to DEB WYDRA . necessari service for constant Name: DEPARTMENT OF CORRECTIONS unletibud daily on the OFFICE OF CHIEF COUNSEL Output and Land David Charles 55 UTLEY DRIVE CAMP HILL, PENNSYLVANIA 17017 90 60 Current 30 Case Name Date Invoice # 0.00 303,61 0.000.00 10/03/2002 CLARK VS HORN, ET AL 8 403 0.00 303.61 0.00 0.00 **Total** JANES COM THE OF SUCHER M 到底管理。 Jan 2 3 2003 > **STEVED** Activities Ciffic 7300-6343117-100/302000-1117312112-11173/2000 Please remit payment to: Method of Payment Geiger & Loria Reporting Service Check American 2408 Park Drive Enclosed _____ MasterCard Suite B Harrisburg, PA 17110 Credit Card # Expiration Date

P. 02

Anthorized Signature

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BOCKNIEM BOSINESS OLL: L9X:814-322-6056

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CLARK,

:

Plaintiff,

Civil No. 1:01-CV-0764

:

v. : (Judge William W. Caldwell)

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MARTIN HORN, et al.,

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Defendants.

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the Corrections Defendants'

Bill of Costs was served upon the person(s) in the manner indicated below.

Service by first-class, certified mail, return receipt requested addressed as follows: Electronic Case Filing:
Paula A. Koczan, Esquire
Samuel H. Foreman, Esquire

Representing Wexford Health Sources

& Dr. John Symons

Mr. William Clark 1221 Bainbridge Street Philadelphia, PA 19147 *Pro Se*

/John J. Talaber
Assistant Counsel

PA Department of Corrections 55 Utley Drive Camp Hill, PA 17011 (717) 731-0444

Dated: October 27, 2003